

ENTERED

July 02, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISIONSTATE OF TEXAS, *et al*,

Plaintiffs,

VS.

UNITED STATES OF AMERICA, *et al*,

Defendants.

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CIVIL ACTION NO. 1:18-CV-68

ORDER

Following the telephonic conference held on June 28, 2018, the Court orders the following:

- 1) The State of New Jersey's Motion for a Two Week Extension of the Briefing Schedule [Doc. No. 107] is granted. Discovery from the Federal Defendants must be completed by July 13, 2018. Post-discovery briefing is due July 21, 2018. Responses to post-discovery briefings are due July 27, 2018. The Preliminary Injunction hearing will be on August 8, 2018 at 10:00 a.m. The hearing will be held in Brownsville, Texas unless counsel are notified otherwise.
- 2) Defendant-Intervenors' (Karla Perez, *et al.*) Motion for Leave to Submit Testimony of Current or Former Federal Employees [Doc. No. 91] is denied without prejudice. After the Federal Defendants respond to the Defendant-Intervenors' interrogatories, the Defendant-Intervenors (Karla Perez, *et al.*) may file a motion with the Court seeking leave to file testimony of their witnesses who are current or former federal employees. Such a motion should indicate with specificity why the desired testimony is helpful to their case and not adequately covered by the Federal Defendants' interrogatory answers.

- 3) The parties have leave to subpoena a Rule 30(b)(6) representative from the USCIS union, but a union representative shall not be deposed until the Court grants leave to do so, under the same terms as subpoint 2 above. Additionally, the union may designate Kenneth Palinkas although he is retired, but only if he is indeed the individual most responsive to the notice.
- 4) Defendant-Intervenors (Karla Perez, *et al.*) have leave of Court to depose Sarah Saldaña and Gil Kirlekowske.
- 5) The Court requests that the parties address the following additional two issues in their briefs:
 - a) What is the effect of Secretary Nielsen's June 22, 2018, DACA rescission memo on this case?
 - b) What impact, if any, does the United States Supreme Court's decision in *Trump v. Hawaii* have on this case?

Signed this 2nd day of July, 2018.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', written over a horizontal line.

Andrew S. Hanen
United States District Judge